



General Assembly

**Substitute Bill No. 5425**

January Session, 2009

\* HB05425HS 031909 \*

**AN ACT CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2009*) (a) There is established a bill  
2 of rights for any child or youth in the custody of the Commissioner of  
3 Children and Families. The bill of rights shall provide that each such  
4 child or youth shall have the right to: (1) A comprehensive assessment  
5 that includes, but is not limited to, an assessment of the child's or  
6 youth's physical health, medical history, mental health, education,  
7 family situation and history of substance use, if any; (2) evidence-  
8 based treatment for any substance abuse problem, physical condition,  
9 mental condition or dental problem identified during the assessment  
10 of the child or youth; (3) a public education, that includes appropriate  
11 special education when needed by the child or youth; (4) services to  
12 improve social functioning and family relations; (5) the least restriction  
13 appropriate for the child's or youth's needs; (6) not be treated  
14 adversely because of the child's or youth's gender, religion, race,  
15 national origin or sexual orientation; (7) safe housing free from abuse  
16 and the use of physical force; (8) representation of competent legal  
17 counsel at all proceedings involving the child or youth; (9) procedural  
18 protections against self-incrimination for statements made by the child  
19 or youth that are related to the child's or youth's treatment or  
20 assessment for treatment; (10) periodic evaluations for the effectiveness

21 of treatment received by the child or youth; and (11) a fair and quick  
22 resolution to department proceedings.

23 (b) Each child or youth in the custody of the commissioner shall be  
24 provided with the rights identified in subsection (a) of this section, not  
25 later than September 1, 2009, or sixty days after the commissioner is  
26 granted custody of the child or youth.

27 Sec. 2. (*Effective from passage*) (a) There is established a task force to  
28 study the policies, practices and procedures of the Department of  
29 Children and Families relating to child abuse and neglect cases. The  
30 task force shall analyze the rules and regulations of the department  
31 relating to such cases.

32 (b) The task force shall consist of the following members:

33 (1) Two representatives of the Office of the Attorney General,  
34 Department of Child Protection appointed by the speaker of the House  
35 of Representatives;

36 (2) Two representatives of the Commission on Child Protection  
37 appointed by the president pro tempore of the Senate;

38 (3) One representative of public defenders in the Superior Court for  
39 Juvenile Matters appointed by the majority leader of the House of  
40 Representatives;

41 (4) One attorney who represents children or parents in child abuse  
42 and neglect cases appointed by the majority leader of the Senate;

43 (5) One representative of public defenders in the Superior Court for  
44 Juvenile Matters appointed by the minority leader of the House of  
45 Representatives;

46 (6) One attorney who represents children or parents in child abuse  
47 and neglect cases appointed by the minority leader of the Senate;

48 (7) The Commissioner of Children and Families or the

49 commissioner's designee;

50 (8) Two persons who have been involved with the department in a  
51 child abuse or neglect case, one each appointed by the chairpersons of  
52 the joint standing committee of the General Assembly having  
53 cognizance of matters relating to human services; and

54 (9) The Child Advocate or the Child Advocate's designee.

55 (c) All appointments to the task force shall be made no later than  
56 thirty days after the effective date of this section. Any vacancy shall be  
57 filled by the appointing authority.

58 (d) The speaker of the House of Representatives and the president  
59 pro tempore of the Senate shall select the chairpersons of the task force  
60 from among the members of the task force. Such chairpersons shall  
61 schedule the first meeting of the task force, which shall be held no later  
62 than sixty days after the effective date of this section.

63 (e) The Commissioner of Children and Families shall submit all  
64 rules and regulations of the department to the task force at the first  
65 meeting of the task force.

66 (f) The administrative staff of the joint standing committee of the  
67 General Assembly having cognizance of matters relating to human  
68 services shall serve as administrative staff of the task force.

69 (g) Not later than January 1, 2010, the task force shall submit a  
70 report on its findings and recommendations, pursuant to subsection  
71 (h) of this section, to the joint standing committee of the General  
72 Assembly having cognizance of matters relating to human services and  
73 the select committee of the General Assembly having cognizance of  
74 matters relating to children, in accordance with the provisions of  
75 section 11-4a of the general statutes. The task force shall terminate on  
76 the date that it submits such report or January 1, 2010, whichever is  
77 later.

78 (h) The report of the task force, submitted in accordance with

79 subsection (g) of this section, shall include, but not be limited to: (1) An  
 80 analysis of the department's rules and regulations relating to child  
 81 abuse and neglect; (2) recommendations for ways to improve the  
 82 department's operations, including the efficiency of its operations  
 83 relating to child abuse and neglect cases; (3) recommendations for  
 84 ways to improve the public's perception of the department; and (4)  
 85 recommendations for ways to improve support services necessary to  
 86 strengthen families involved with the department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	New section
Sec. 2	<i>from passage</i>	New section

**HS**      *Joint Favorable Subst.*